

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

QUICKSILVER, INC.

Plaintiff

vs

CIVIL 08-2068CCC

MICHAEL'S IMPORT WHOLESALE,
KHRISTIBEL IMPORTS, SOLYMAR
IMPORTS, INTERNATIONAL
WHOLESALE, REVOLUTION WAVE
IMPORTS, ACCESSORIES
COLLECTIONS OUTLET, CHULERIAS,
DC WIRELESS, AG LITTLE STORE,
VAL-KEY SHOPS, HR COMM. KOSCO,
CHINA TOWN LA MODA, PANTALLAS Y
PANTALLAS, PUERTO RICO
WIRELESS, POUCH & HOLDERS,
GISELLY FASHION, MUNDO DE ORO,
DIGITAL SOLUTIONS, EASY
CELLULAR, INC., VAL-KEY SHOPS,
ILLUSION LEATHER, CUESTA
JOYEROS, SCALA JEWELRY, JOYERIA
FIGALY GOLD MAKER CORP., EASY
CELLULAR, INC., COMMUNICART,
INC., MP-3 STORE, ACCESORIT,
EVERYBODY'S FASHION, FOUR
SEASONS, NICOLE ACCESSORIES,
FARMACIA MODELO, TIENDA
NUESTRAS COSAS & CELULARES,
FOTO IMAGEN, TIENDA EVA, ILLUSION
OUTLET PLAZA GRAB, DREAM TEAM
COLLECTIBLES, CC WIRELESS
GROUP, INC., FREE CELLULAR,
TIENDA PERFUMES LA MAS GRANDE,
CELULARES Y ALGO MAS, AROMAS,
FANTASIA Y ALGO MAS, VIVIANA'S,
EMOTION, TALK TIME CELLULAR, LYL
SHOES, D'HANDBAG STORE, F.I.
CELLULARS, TIENDA ANGELINA, LAS
GANGAS, ENCANTO, 24 WITO
NOVELTY, KUKETERIA,
COMMUNIKART, LOS MAHONES
SURF, DREAM TEAM, NARA BOOTH,
MAS IDEAS, DJ DESIGN MARGINAL
LOS ANGELES, CELLULAR COMM.,
JULNIL FASHION, TECHSOURCE,
BEEP CELLULAR

Defendants

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AMENDED PARTIAL DEFAULT JUDGMENT *NUNC PRO TUNC*

Upon consideration of Plaintiff's Motion for Entry of Final Default Judgment and Related Orders against Easy Cellular, Inc. (Plaza del Sol, Bayamón, PR and Plaza Río Hondo, Bayamón, PR) (hereinafter referred to as "Easy Cellular" or "defendant") (**docket entry 130**), and the record before the Court, it is hereby ORDERED AND ADJUDGED:

- 1) Permanent Injunction is entered against the above-referenced defendant pursuant to Fed. R. Civ. P. 65, forever enjoining this defendant, its officers, agents, servants, employees, and attorneys and upon those persons in active concert or participation with them:
 - a) From manufacturing, procuring, distributing, shipping, retailing, selling, advertising or trafficking, in any merchandise, including apparel, sunglasses, bags, jewelry and/or related merchandise, not authorized by plaintiff, bearing unauthorized simulations, reproductions, counterfeits, copies or colorable imitations of plaintiff's trademarks, or bearing a design or image which is of a substantially similar appearance to plaintiff's listed on Exhibit A to the Complaint;
 - b) From passing off, inducing or enabling others to sell or pass off, as authentic products produced by plaintiff or otherwise authorized by plaintiff, any product not manufactured by plaintiff or produced under the control or supervision of plaintiff and approved by plaintiff, which utilize any of plaintiff's trademarks listed on Exhibit A to the Complaint;
 - c) From committing any act calculated to cause purchasers to believe that the defendant's products are those sold under the control and supervision of plaintiff, or are sponsored, approved or guaranteed by plaintiff, or are connected with and produced under the control or supervision of plaintiff;

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- d) From further diluting and infringing plaintiff's trademarks and damaging its goodwill; and
- e) From causing, aiding and/or abetting any other person from doing any act proscribed under (a) through (d) above.

IT IS FURTHER ORDERED AND ADJUDGED that Judgment be entered in favor of plaintiff and against defendant Easy Cellular, as noted more specifically below:

Quicksilver, Inc., for the violation of its "Quicksilver" word mark, pursuant to 15 U.S.C. § 1117(c)(1) and (2).	\$20,000.00
Quicksilver, Inc., for the violation of its "Quicksilver" design, pursuant to 15 U.S.C. § 1117(c)(1) and (2).	\$20,000.00
TOTAL JUDGMENT AGAINST EASY CELLULAR.	\$40,000.00

That this Partial Default Judgment shall operate as a Permanent Injunction and Final Order as to defendant Easy Cellular, Inc. (Plaza del Sol, Bayamón, PR and Plaza Río Hondo, Bayamón, PR).

SO ORDERED AND ADJUDGED.

At San Juan, Puerto Rico, on September 26, 2011.

S/CARMEN CONSUELO CEREZO
United States District Judge